

Appl. No. : **10/773,557**
Filed : **February 5, 2004**

REMARKS

In the Office Action mailed February 25, 2005, the Examiner made several objections to the specification and claims and further rejected the claims as either being anticipated by the McManus reference (U.S. Patent No. 6,729,669), the Dewald reference (U.S. Patent No. 5,577,351), the Frerichs reference (U.S. Patent No. 6,708,454) or some combination thereof. By this paper, the Applicant has amended Claims 1, 11, and 22. Hence, reconsideration of the above-captioned application in light of the amendments and remarks contained herein is now respectfully requested.

In the Office Action, the Examiner noted a number of inconsistencies in the specification. By this paper, the Applicant is submitting amendments to the specification in order to correct the inconsistencies noted by the Examiner and also to correct inconsistencies in other portions of the specification that the Applicant has found. Similarly, the Examiner also noted several claim objections and the Applicant has amended the claims to incorporate the suggestions made by the Examiner.

In the Office Action, the Examiner also rejected Claims 1-30 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. By this paper, the Applicant has amended Claim 1 to indicate that the rotatable vertical member is interposed between the main housing and the slide-out housing and has amended Claim 11 to similarly indicate that the vertical movement member is interposed between the main housing and the extendable room. The Applicant believes that these amendments clarify the subject matter of Claims 1 and 11 and that sufficient antecedent support is now provided. Further, the Applicant has also amended Claim 22 to provide antecedent support for the use of the terms "floor", "outer wall" and "floor space." The Applicant believes that antecedent support for the term "the recreation vehicle" in line 3 is provided in the preamble. Hence, the Applicant believes that the above-identified amendment to the claims result in the claims complying with the requirements of 35 U.S.C. § 112, second paragraph.

In the Office Action, the Examiner also rejected Claims 1-8, 11-19, 22-26 and 28 under 35 U.S.C. § 102(e) as being anticipated by McManus. The Examiner specifically referred to the embodiment comprising the vertical movement 710 identified in Figures 41 and 42. After

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carefully reviewing McManus, the Applicant notes that the member 42 does not directly engage the extendable housing so as to lift the housing between the two relative positions. Rather, rollers engage the extendable housing so as to move the extendable housing floor into the upper level. As a consequence, McManus requires a more complex arrangement than the arrangement as defined by Claim 1 as amended. By this paper, the Applicant has also amended Claims 11 and 22 to incorporate similar subject matter. The Applicant therefore believes that Claims 1, 11 and 22 as amended are allowable over the McManus reference.

The Examiner also rejected some claims under 35 U.S.C. § 103(a) as being unpatentable over McManus in view of Dewald or Frerichs. However, in reviewing Dewald and Frerichs, there is no indication of having a member that directly engages with the extendable housing that defines the two separate and elongate and narrow dimensions. As a consequence, the Applicant believes that Claims 1, 11, and 22 are patentable over the art of record.

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SUMMARY

Based upon the foregoing, the Applicant submits that Claims 1, 11, and 22 are allowable over the art of record. The remaining claims define additional patentable subject matter and are further allowable due to their respective dependencies on Claims 1, 11 and 22. The Applicant therefore believes that the above-captioned application is in condition for allowance and requests the prompt allowance of the same. Should there be any impediment to the prompt allowance of this application that could be resolved by a telephone conference, the Examiner is respectfully requested to call the undersigned at the number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____

8/25/05

By: _____

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